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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/641,730

Applicant(s)

SHIIMORI, YOSHIKO

Examiner

Benjamin R Bruckart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **Detailed Action**

### **Status of Claims:**

Claims 1-21 are pending in this Office Action.

### **Applicant's invention as claimed:**

### **Claim Rejections - 35 USC § 112**

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11 recites the limitation "the edited image" in claim 11, line 3. There is insufficient antecedent basis for this limitation in the claim.

### **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 4-10, 12, 16-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No 6, 675,357 by Carter et al**

Regarding claim 1, a data communication system (Carter: col. 2, line 16) comprising:

a client computer and a server that are capable of communicating data with each other (Carter: col. 3, lines 10-26),

wherein said client computer includes a first font transmitting unit for transmitting font information data representing fonts which are stored on said client computer and capable of being output at said client computer (Carter: col. 5, lines 53-61; col. 6, lines 4-16); and

wherein said server includes:

a first receiving unit for receiving the font information data that has been transmitted from said first font transmitting unit of said client computer (Carter: col. 5, lines 53-61; col. 6, lines 4-16);

a font search unit for searching for fonts, which are stored on said client computer and capable of being output at said client computer, from among fonts capable of being output at said server, on the basis of fonts represented by the font information data that has been received by said first receiving unit (Carter: col. 5, lines 40-53; col. 7, lines 12-18); and

a second font transmitting unit for transmitting font information data representing the fonts, which have been found by said font search unit, to said client computer (Carter: col. 4, lines 1-20; displayed to the client).

Regarding claim 4, the system according to claim 1, wherein said client computer further includes:

a selection unit for selecting a type of document to be created (Carter: col. 5, lines 60-67; client request); and

a selection-data transmitting unit for transmitting selection data, which represents the type of document selected by said selection unit, to said server (Carter: col. 5, lines 53-61; col. 6, lines 4-16); and

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said server further includes a selection-data receiving unit for receiving the document selection data that has been transmitted from said client computer (Carter: col. 5, lines 53-61);

said font search unit searching for fonts, which are capable of being output at said client computer, on the basis of the type of document represented by the selection data that has been received by said selection data receiving unit and the font information data that has been received by said first receiving unit (Carter: col. 5, lines 40-53; col. 7, lines 12-18).

Regarding claim 5, the system according to claim 4, wherein said server further includes a second reporting unit for reporting fonts, which are capable of being output, in association with the type of document (Carter: col. 4, lines 1-20).

Regarding claim 10, the system according to claim 1, wherein said client computer further comprises a font name display device that displays a font name represented by the font information data transmitted from said second font transmitting unit of said server (Carter: col. 4, lines 50-52; Figure 1; Figure 3; col. 5, lines 35-42).

Regarding claim 16, the system according to claim 1,  
further comprising a printer attached to said server (Carter: col. 3, lines 24-28).

Regarding claim 17, the system according to claim 16, wherein said font information data, including fonts capable of being output from said server and capable of being output at said client computer, comprises fonts capable of being printed by said printer (Carter: col. 5, lines 56- col. 6, line 18).

Regarding claim 6, a client computer capable of communicating data with a server,  
(Carter: col. 3, lines 10-26) wherein:

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font information data representing fonts which are stored on said client computer and capable of being output at said client computer are transmitted from said client computer to said server (Carter: col. 5, lines 53-61; col. 6, lines 4-16); and

said server searches fonts capable of being output at said server for fonts which are stored on said client computer and capable of being output at said client computer based upon fonts represented by the font information data that has been transmitted from said client computer, and transmits font information data representing the fonts that have been found to said client computer (Carter: col. 5, lines 40-53; col. 7, lines 12-18);

said client computer having:

a receiving unit for receiving font information data that has been transmitted from said server (Carter: col. 4, lines 1-20); and

a reporting unit for reporting fonts represented by the font information data that has been received by said receiving unit (Carter: col. 4, lines 1-20; col. 5, lines 35-42; displayed to the client).

Regarding claim 7, a server capable of communicating data with a client computer (Carter: col. 3, lines 10-26), comprising:

a receiving unit for receiving font information data transmitted from said client computer and representing fonts which are stored on said client computer and capable of being output at said client computer (Carter: col. 5, lines 56-63);

a search unit for searching for fonts, which are capable of being output at said client computer, from among fonts capable of being output at said server, on the basis of fonts represented by the font information data that has been received by said first receiving unit (Carter: col. 5, lines 40-53; col. 7, lines 12-18); and

a transmitting unit for transmitting font information data, which represents fonts that have been found by said search unit, to said client computer (Carter: col. 4, lines 1-20; displayed to the client).

Regarding claim 8, a method of controlling a server which communicates data with a client computer (Carter: col. 3, lines 10-26), comprising the steps of:

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receiving font information data that has been transmitted from the client computer and that represents fonts which are stored on said client computer and capable of being output at said client computer (Carter: col. 5, lines 56-63);

searching for fonts, which are which are stored on said client computer and capable of being output at the client computer, from among fonts capable of being output at the server, on the basis of fonts represented by the font information data that has been received (Carter: col. 5, lines 40-53; col. 7, lines 12-18); and

transmitting font information data representing the fonts that have been found to the client computer (Carter: col. 4, lines 1-20; displayed to the client).

Regarding claim 9, a computer-readable recording medium storing a program for controlling a client computer capable of communicating with a server (Carter: col. 3, lines 10-26, 55-67), wherein the client computer transmits font information data representing fonts which are stored on said client computer and capable of being output at said client computer to the server (Carter: col. 5, lines 56-63), said server searches fonts which are stored on said client computer and capable of being output at said server for fonts capable of being output at said client computer based upon fonts represented by the font information data that has been transmitted from said client computer (Carter: col. 5, lines 40-53; col. 7, lines 12-18), and transmits font information data representing the fonts that have been found to said client computer (Carter: col. 5, lines 35-42; display);

said program controlling the client computer so as to:

receive font information data that has been transmitted from said server (Carter: col. 4, lines 1-20); and

report fonts represented by the font information data that has been received (Carter: col. 5, lines 35-42; GUI).

Regarding claim 12, a data communications system (Carter: col. 2, lines 16) comprising:

means for communicating data between a client computer and a server (Carter: col. 3, lines 10-26),

wherein said client computer comprises means for transmitting font information data including fonts which are stored on said client computer and capable of being output at said client computer (Carter: col. 5, lines 53-61; col. 6, lines 4-16); and

wherein said server comprises:

means for receiving the font information data transmitted from said means for transmitting (Carter: col. 5, lines 56-63);

means for searching for fonts, which are stored on said client computer and capable of being output at said client computer, from among fonts capable of being output at said server, on the basis of the font information data received by said means for receiving (Carter: col. 5, lines 40-53; col. 7, lines 12-18); and

second means for transmitting font information data, including the fonts that have been identified by said means for searching, to said client computer (Carter: col. 4, lines 1-20; col. 5, lines 35-42; GUI).

Regarding claim 18, a data communications server (Carter: col. 2, lines 16) comprising:

a client computer (Carter: col. 3, lines 12-16); and

a server in communication with said client computer (Carter: col. 3, lines 10-16);

wherein said client computer comprises:

a first font transmitting unit that transmits a first font information data, including fonts which are stored on said client computer and capable of being output at said client computer to said first server (Carter: col. 5, lines 56-63); and

a first receiving unit that receives a second font information data from said server (Carter: col. 4, lines 1-20; col. 5, lines 35-42); and

wherein said server comprises:

a second receiving unit for receiving the first font information data transmitted from said first font transmitting unit of said client computer (Carter: col. 5, lines 56-63); and

a second font transmitting unit that transmits the second font information data from said server to said client computer (Carter: col. 4, lines 1-20; col. 5, lines 35-42); and



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means for ensuring that a font which are stored on said client computer and employed by the client computer is capable of being output by the server (Carter: col. 5, lines 40- col. 6, lines 15; col. 7, lines 12-18).

Regarding claim 19, the system according to claim 18, wherein said means for ensuring comprises:

a font search unit that searches for fonts capable of being output at said client computer and capable of being output at said server, based on the first font information data received from said client computer by said first receiving unit, and generates said second font information data comprising fonts capable of being output at said client computer and capable of being output at said server (Carter: col. 5, lines 40- col. 6, lines 15; col. 7, lines 12-18).

Regarding claim 20, the system according to claim 19,

further comprising a printer attached to said server, said printer capable of printing fonts output from said server (Carter: col. 3, lines 24-28).

Regarding claim 21, the system according to claim 19, wherein said font information data, including fonts capable of being output from said server and capable of being output at said client computer, comprises fonts capable of being printed by a printer of the server (Carter: col. 5, lines 40- col. 6, lines 15).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**Claims 2-3 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6, 675,357 by Carter et al in view of U.S. Patent 5,533,174 by Flowers et al.**

Regarding claim 2,

The Carter reference teaches the system according to claim 1 with a client and server in communication with each other with

A font search unit searching for fonts, which are capable of being output at said client computer, on the basis of the data that has been received and the fonts represented by the font information data that has been received by said first receiving unit (Carter: col. 5, lines 50-52).

The Carter reference does not explicitly state sending operating-system data to search by.

The Flowers reference teaches a client computer further includes an operating-system transmitting unit for transmitting operating-system data, which represents an operating system of said client computer, to said server (Flowers: col. 2, lines 52-61; col. 4, lines 50-55); and

said server further includes an operating-system data receiving unit for receiving the operating-system data transmitted from said operating-system data transmitting unit of said client computer (Flowers: col. 4, lines 28-36; col. 4, lines 50-55)

a font search unit searching for fonts, on the basis of the operating system represented by the operating-system data that has been received by said operating-system data receiving unit (Flowers: col. 4, lines 50-67; col. 9, lines 41-52).

The Flowers reference further teaches it communicates with both network workstations and printers, and manages entirely the access to and the manipulation of the fonts to produce the maps and outlines in accordance with system compatibilities and formats (Flowers: col. 2, lines 43-48).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of a client and server in communication as taught by Carter while sending operating system data as taught by Flowers in order to allow access and manipulation as well as compatibility to workstations and printer (Flowers: col. 2, lines 43-48).

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Claims 3, 14-15 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Flowers et al and Carter et al.

Regarding claim 3, the system according to claim 2, wherein said server further includes a first reporting unit for reporting fonts, which are capable of being output, in association with an operating system (Carter: col. 5, lines 35-42; col. 7, lines 12-17).

Regarding claim 14, the system of claim 1, wherein a storage capacity of the server is larger than that of a storage capacity of the client computer (Flowers: col. 4, lines 22-27).

Regarding claim 15, the system according to claim 2, wherein said operating-system data comprises a type of document being created by the client computer (Flowers: col. 4, lines 50-55; col. 5, lines 6-16).

**Claim 11 is rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6, 675,357 by Carter et al in view of U.S. Patent No. 6,256,650 by Cedar et al.**

Regarding claim 11,

The Carter teaches the system according to claim 1, wherein said client and server are in communication.

The Carter reference does not explicitly state a font determination unit on the client.

The Cedar reference teaches a font determination unit that determines a font used in the edited image from among the font information data transmitted from said second font transmitting unit of said server (Cedar: col. 5, lines 29-36); and

image editing means for editing an image using a font determined by said font determination unit (Cedar: col. 5, lines 11-27).

The Cedar reference further teaches the invention adjusts the size of the editable text so that it is aesthetically acceptable and carries out such adjustment without the need for manual input for text editing (Cedar: col. 4, lines 49-58).

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Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of a client and server in communication as taught by Carter while sending operating system data as taught by Cedar in order to allow automated copyfitting that is capable of fitting editable text into a text frame so that it is aesthetically acceptable and carries out adjustments without manual input for editing (Cedar: col. 4, lines 49-58).

**Claim 13 is rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6, 675,357 by Carter et al in view of U.S. Patent No. 6,452,692 by Yacoub.**

Regarding claim 13,

The Carter reference teaches the system according to claim 1, a printer and client connected to a server in communication with each other.

The Carter reference does not explicitly state the printing quality of the server is greater than that of a printing quality of the client computer.

The Yacoub reference teaches a networked printer server (Yacoub: col. 2, lines 26-29) that searches out the highest quality printer that meets the print job (Yacoub: col. 5, lines 9-16)

The Yacoub reference further teaches the system that processes the print jobs reduces the level of user interaction and increases effectiveness of printing (Yacoub: col. 1, lines 13-20, lines 37-43)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create a printer and client system network system as taught by Carter while the server is coupled to higher quality printers as taught by Yacoub in order to increase effectiveness higher quality jobs (Yacoub: col. 1, lines 13-20, lines 37-43).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703)

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305-0324. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0324.

Benjamin R Bruckart  
Examiner  
Art Unit 2155  
August 12, 2004

*BRB*

*Hosain Alam*  
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SUPERVISORY PATENT EXAMINER